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A  
FEW WORDS  
ADDRESSED TO THE RIGHT HONOURABLE  
*CHARLES JAMES FOX,*  
ON  
THE SACRED DUTY  
OF  
*INSURRECTION.*

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THE WORDS

ADDRESSED TO THE RIGHT HONORABLE

CHARLES JAMES FOX

ON

THE SACRED DUTY

IN PARLIAMENT



*Wentworth (C. W.) Maquie  
of Rockingham.* K A

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CHARLES JAMES FOX,

ON

THE SACRED DUTY

OF

# INSURRECTION.

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"MY SENTENCE IS FOR OPEN WAR."

*Milton.*

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THE RIGHT HONOURABLE

CHARLES JAMES FOX

THE SACRED DUTY



INSTRUCTION

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SIR,

IT is perfectly becoming in those, who from a variety of causes neither ought or can aspire in their own persons to any high political situation, to single out for their leaders, characters of a description to inspire confidence : natural order is then preserved when we see the weakness of some reposing securely upon the strength of others ; and perhaps there never was a period of time in our own history when a larger body of eminent men could be found than at this moment, whose rare attainments and powers

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of intellect better intitled them to so important a trust as the direction of the public mind. In paying this homage to great talents and virtues, there is nothing mean and degrading ; it is that “ proud submission” and “ dignified obedience,” which it has been said and with truth, when paid to rank alone, keeps alive a spirit of exalted freedom. Such a choice too will put ignorant, intriguing, busy men at an awful distance ; it will prevent scheming reformers, and visionary enthusiasts from pressing forward as candidates for popular favour, in order to give the tone to popular sentiment, when they see all the seats of eminence occupied by wisdom and virtue, to which they are aspiring by all the mean and mountebank tricks which incapacity, leagued with fraud, plays off to the astonishment of an illiterate mob.

Entertaining such sentiments, you will not imagine I have looked with a malignant eye on those abilities which nature, in an hour of prodigality, has lavished upon you,

sir, and which form the solid basis of your high name: few have ever enjoyed the favour of the people in a larger degree and with less interruption than yourself; and I am sure I am little disposed to controvert the position that few have ever deserved it better: so unrivalled in their opinion is your knowledge of the Constitution, that should you but intimate a suspicion that any measure might by possibility affect its welfare, a general alarm is spread, your admirers impatiently flock to your standard, prepared to pay the most perfect deference to your judgment. Of what importance it is that that judgment should be correct, which is to have such an extensive influence, you who can so well calculate the force with which the human mind exerts itself when acting under an authority whose sanctions it approves, can have but little difficulty in ascertaining. I am seriously apprehensive, however, that a declaration which you are supposed to have made during the discussion of the two Bills, which have lately engaged so much of the attention of Par-

liament, did not receive from you that mature consideration which their importance so imperiously demanded. The declaration to which I allude, is that which you will readily anticipate, viz. "That if the Bills, the one for the Protection of his Majesty's Person, and the other for the Suppression of Seditious Meetings, should pass into laws, against the consent of the majority of the people, it would no longer be a question of moral duty, but simply of prudence whether or not they should be obeyed."

"And with a withering look,

"The war denouncing trumpet took

"And blew a blast so loud and dread,

"Were ne'er prophetic sounds so full of woe."

After all the discussion, however, these Bills have undergone, it is still a matter of vain research in an inquirer, whose mind is not illuminated by this sudden appeal to his prudence, which is to supercede all duty, to discern what there is in these laws that necessarily creates this dispensing power, and sets the subject free from his obedience; notwithstanding his attention has been

awakened in a manner so unprecedented to examine their contents, he cannot perceive in the one any new treasons enacted, which taking the high authority of Hale, Forster, and other sages of the law, the most unconnected with party, and the most fervently devoted to the Constitution, are not found within the spirit and true construction of the 25 of Edw. III. nor in the other any restrictions upon the subjects' right of petition, which can in any degree whatever impair it, much less render it of no effect; he has not yet seen the Liberty of the Press injured by any restraint that curbed its licentiousness, and he entertains hopes of seeing all the essential advantages resulting from the exercise of petitioning the legislature, without which the mere abstract right is as nothing, confirmed in the exact proportion that its abuses are corrected.

But admitting for a moment, sir, that Parliament, in its anxiety for the protection of the life of the Sovereign of these kingdoms should, in endeavouring to throw a

more secure fence round his person, have extended the law of treason beyond the point which the immediate necessity of the case warranted ; and that it has acted not unlike to some of the antient writers of romance, who “ clothe their invulnerable heroes in suits of heavy armour :” Let it also be conceded, that the reports of the disaffection of a considerable body of men to our present form of government which have been the foundation of an act that trenches upon the freedom of the right of petition, to be only such tales as “ old women tell and old women listen to ;” yet still I wish to learn immediately from yourself, whether you have so far committed your reputation as a statesman to declare, that in truth these Acts do aim so deadly a stroke at the very vitals of the Constitution, that the only means in our power of repelling its force, is by having recourse to arms ; whether in point of fact the result of your most deliberate judgment leads you to think that the only appropriate language in which your countrymen, in the new si-

tuation in which these Acts have placed them, can be addressed, is that of the fallen angel to his followers, when he was stirring them up to open rebellion :

“ Awake, arise, or be for ever fallen.”

Indeed, sir, I can with great confidence assert, that they who have viewed your character on the “ theatre of your talents,” or contemplated it, in the “ sanctuary of your virtues,” have felt the most poignant regret to find such sentiments imputed to you : relying implicitly on the clearness of your understanding, they are at this moment at a loss to conjecture how you could have been hurried into so intemperate a declaration ; and they are mortified to find how fallacious the knowledge they had of your heart has proved, which led them to think, (so far were they from conceiving it possible that you should volunteer the desperate remedy of force to meet the operation of the present measures) that even if by some dreadful fatality that extreme case of abuse in all the constituted powers of the

country should arise, in which force is avowed universally to be the only corrective, you of all men would have been found the last to administer that "critical, ambiguous, bitter portion to the distempers of the state."

Is there a word in any one writer of eminence upon the right of resistance, which can for a moment give a colour to your precipitate decision on this delicate point: no man can know better than yourself, that every one of them has approached the discussion of it with a sort of religious fear; how cautiously they have avoided drawing the line when obedience ought to end and when resistance must begin; and it is agreed by all of them, that the evil must not be of a light nature, but of the very first magnitude, and that it must be out of the reach of every other possible remedy, before this terrible experiment must be suffered even to enter into the imagination; the body politic must be in as diseased a state as the natural body is described in the

figurative language of the sacred text to be ;  
 “ when the whole head is sick and the heart  
 faint ;” when “ the silver chord is loosen-  
 ed,” the “ golden bowl broken,” the  
 “ pitcher broken at the well,” the “ wheel  
 broken at the cistern,” before an expedient  
 be resorted to, which even if it prove suc-  
 cessful, must be attended with extreme mis-  
 ery: it is accordingly asserted invariably  
 by those who have best studied and under-  
 stood our Constitution, that resistance can  
 in no case be lawful, but where absolute  
 necessity enjoins it, and where the Constitu-  
 tion is without any other resource The gen-  
 tleman who was formerly your political Men-  
 tor, from whom you acknowledge yourself  
 to have learnt more than from all the books  
 you have ever read, or from the long inter-  
 course you have had with the world, and  
 from whose instructions it should seem you  
 might at this hour derive no inconsiderable  
 advantage, has decidedly given it as his  
 opinion, that Governments must be bad in-  
 deed before force, to which you are sup-  
 posed so flippantly to have recourse, can

be thought of ; and that the prospect of the future must be as bad as the experience of the past.

If these positions are founded in truth, it was your bounden duty, before you had taken upon yourself to assert, that the moment was arrived at which power reverts to the individual ; and that the appeal from the abuses of the state lay no where in the language of Locke but to heaven ; and before you had put us upon that appeal, to have been well satisfied that, not only the Temple of our Constitution was demolished, but that the *dii tutelares* were fled ; that you had exerted all that unwearied activity of mind which so peculiarly belongs to you to find out a remedy *within* the pale of the Constitution, for the disease which threatened its very existence : should you affirm that such research was anxiously made and without effect ; a plea which, upon the principle of all the authorities upon this subject, can alone acquit you of criminal rashness, and perhaps of treason itself, I

shall confront your conduct with your declarations; I shall oppose the association you have formed to petition Parliament, (a previous measure surely necessarily to be taken before we were dismissed to our tents) for the repeal of these Acts, to the assertions you repeatedly made, that the right of petition was by one of them utterly destroyed.

But we are told, sir, upon your own authority, and that of your friends, that your sentiments have been maliciously distorted, and that there exists a party studiously desirous of misrepresenting you upon all occasions: whether this is really so or not I have not the power of determining, though you possess it. Upon the subject of the war when you found yourself exposed to a similar attack, you explicitly avowed the opinions you had delivered in Parliament, and in a letter to your Constituents, declared the line of conduct you had thought proper to adopt, and effectually by these means blunted one of the shafts of malice; your

sentiments were no longer open to false constructions: perhaps I may be mistaken, but it seems to me you would not degrade the dignity of your character, and must relieve the public mind of much anxious doubt, should you have recourse to the same means in the present instance of dispelling that cloud of error from which you complain to have suffered so much.

In the meantime permit me to suggest a reason or two which inclines me, much against my wishes, to think, that your comment upon the sacred duty of Insurrection has been stated with tolerable fidelity.

It has, with great propriety in my humble opinion, been demanded of you, in what light you have considered the conduct of the Corresponding Society, and you are instantly heard as expressing a conviction, that the motives of that Society are pure, and their efforts directed to a fit object, though you seem to intimate that some few individuals among them must have acted

unwisely, and it may be, wickedly. Now, sir, you knew, at the very moment when it pleased you to give this description of that body of men, that not only a few individuals of that Society, but *that every member of it, without a single exception, had given their sanction to the following positions, viz.* “ that there is no such thing as a Constitution in this Country,” that “ every thing in the English Government, is the reverse of what it ought to be,” that “ the right of war and peace resides in a metaphor shewn in the Tower,” that “ Aristocracy is a monster,” that “ the romantic and barbarous distinction of men into Kings is exploded,” that “ the estimation of the Revolution is upon the wane,” and that the “ Bill of Rights is a Bill of Wrongs.” Permit me, sir, to put it to your candour to declare, whether it is any very great breach of charity to suspect him, who could venture to state that men who could ratify by their voice such doctrines, were in effect only seeking, in their political career, a proper object by proper means, to have once in his life

adopted a former favourite opinion of these gentlemen, that it was ridiculous to petition Parliament, and that he should assert, that the passing of the Treason and Sedition Bills into a law constitutes that case, in which it becomes a matter of prudence whether we are not to resist the authority of the legislature by force: It is, however, with no small degree of satisfaction, that I have seen both him and them, upon one occasion at least, return to the line of petition.

Another suggestion presents itself, which seems to make it more than probable, that your celebrated declaration has not been incorrectly given, and which arises out of your own explanation of it: How could any one entertain an idea, you are stated to have said, (though perhaps this too may be a misrepresentation) that I ever wished that these Acts should be opposed by force; did I not in the same debate expressly declare, “ *iniquissimam pacem justissimo bello antefero,*” and you add, it is very fortu-

nately the province of quotation to fix in the mind of the hearers, the precise meaning of that which he who addresses an audience feels it necessary to offer :” This quotation, however, is perfectly consistent with the interpretation the public have put upon your declaration ; for it is within the range of possibility, that from natural indolence or some other cause, you might, in your own person, quietly submit to the savage tyranny of these Acts, and be content to bear the chains of slavery, rather than engage in a sharp conflict with the laws and their defenders, though you might have no violent objection, under certain conditions, to see others combating in the heat of the battle: you will, however, do well, sir, to remember, that when the trumpeter of an army was taken prisoner, he in vain pleaded that he never *fought* against his country, it was sufficient to lead him to execution that he had instigated others and made it a trade,

*Ære ciere viros, martemque accendere cantu.*

Under these suspicions, is it too much to

hope that you will favour the public with your real sentiments : do you really counsel us to gird on our swords, or more peaceably to repair to your association at the Crown and Anchor Tavern. As the opposition to existing laws is rather a hazardous game, I could have wished, for my own sake at least, that your directions upon this subject had been somewhat more clear. *Nous jouons gros jeu*, and a single mistake may lead us to ruin ; it cannot but be, therefore, of the most urgent necessity, to be informed of the meaning you affix to that important member of your proposition, in which you speak of the necessity of a *majority of the people* dissenting to an Act of the legislature, to authorize resistance to its being carried into effect : now upon this point doctors differ : your great oracle Locke states the right of resistance in as general terms as you have done, as residing simply in the will of a majority : as Locke, however, was treating speculatively upon this doctrine, it was not so incumbent upon him to define with so much pre-

cision the terms he employed, (though upon a question of such importance, the omission cannot readily admit of excuse) as upon one who esteems it necessary to apply that doctrine to an existing case: if you will not condescend to be the commentator of Locke, though you seem proud to be his disciple, have the charity at least to explain your own words. Are we then to understand by the term majority, any majority of men told by the head, and is the voice of the man of virtue, honourable rank and property, to stand no higher in the scale of numbers than that of him who classes in the lowest order of the people, the victim of penury, ignorance and vice? If we are to be the instruments of regenerating the State, through the medium of civil confusion, let us at least be sure that the ground we tread upon is sound, that we may have just cause of triumph in victory, or of consolation in defeat; it cannot be unreasonable to require as steady a light as possible, to conduct our footsteps before we descend into this perilous path.

I shall at present, sir, give you and myself no further trouble upon this subject, waiting anxiously for a clear explanation of your supposed declaration. Let me, however, in this place add, that as the public force is as a ball sleeping in a cannon, he that sets it in motion and affects to give it a direction, must be responsible for all the consequences of his conduct. I sometimes represent to myself the extreme regret you must have been a prey to, if in consequence of your supposed opinion on the right of resistance to these two Acts of Parliament, a civil war had been kindled ; with what agony of mind would you have beheld “ your sweet and cheerful country from Thames to Trent, north and south, and from the Irish to the German Sea, east and west—may God avert the omen of our crimes !” one scene of carnage and desolation ; nor can you imagine, but that those who are ardent lovers of that country, feel it difficult to suppress the most lively sentiments of indignation at the conduct of him, who would introduce such a scene for no better purpose than that of

preserving the glorious privilege of vilifying, with impunity, the King and the Constitution.

ROCKINGHAM.

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preserving the privilege of visit-  
ing, with impunity, and the Con-  
stitution.

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